

# Senate Bill 1193

Sponsored by Senator MANNING JR

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act allows a higher learning school to pay a student athlete for use of the student's NIL. (Flesch Readability Score: 75.7).

Permits a post-secondary institution of education to provide compensation to a student athlete for use of the student athlete's name, image, likeness or athletic reputation. Requires a written contract for compensation to a student athlete who is a minor by a post-secondary institution of education to include the written consent of the parent or guardian of the student athlete.

Prohibits an athletic association, conference or organization from prohibiting a post-secondary institution of education from providing compensation to a student athlete.

## A BILL FOR AN ACT

1  
2 Relating to compensation to student athletes; amending ORS 702.200.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 702.200, as amended by section 1, chapter 15, Oregon Laws 2024, is amended  
5 to read:

6 702.200. (1) As used in this section:

7 (a) "Athletic association, conference or organization with authority over intercollegiate sports"  
8 includes the National Collegiate Athletic Association.

9 (b) "Post-secondary institution of education" means:

10 (A) A public university listed in ORS 352.002.

11 (B) An Oregon-based, generally accredited, private institution of higher education.

12 (c)[(A)] "Student's rights" means the rights of a student enrolled in a post-secondary institution  
13 of education to earn compensation for use of the student's name, image, likeness or athletic repu-  
14 tation and to contract with and retain professional representation or an athlete agent.

15 [(B)] "*Student's rights*" does not include a right to receive compensation from a post-secondary in-  
16 stitution of education.]

17 (2)(a) Except as provided in this section, a post-secondary institution of education or an athletic  
18 association, conference or organization with authority over intercollegiate sports may not:

19 (A) Prohibit, prevent or restrict a student athlete from exercising the student's rights.

20 (B) Penalize or retaliate against a student athlete for exercising the student's rights.

21 (C) Prohibit a student athlete from participating in an intercollegiate sport for exercising the  
22 student's rights.

23 (D) Impose an eligibility requirement on a scholarship or grant that requires a student athlete  
24 to refrain from exercising the student's rights.

25 (E) Prohibit a student athlete from receiving food, drink, lodging or medical expenses or insur-  
26 ance coverage from a third party as compensation for use of the student's name, image, likeness or  
27 athletic reputation.

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

1 (b) Except as provided in this section, an athletic association, conference or organization with  
2 authority over intercollegiate sports may not:

3 (A) Prevent a post-secondary institution of education or a student athlete from participating in  
4 intercollegiate sports, accept a complaint, open an investigation or take any other adverse action  
5 against a post-secondary institution of education or a student athlete as a result of a violation, or  
6 an alleged violation, of the rules or regulations of the athletic association, conference or organiza-  
7 tion related to a student athlete exercising the student's rights.

8 (B) Authorize, cause or allow any post-secondary institution of education that is a member of  
9 the association, conference or organization to take an action prohibited under paragraph (a) of this  
10 subsection.

11 (3)(a) A student athlete may not enter into a contract that provides compensation to the student  
12 athlete for use of the student athlete's name, image, likeness or athletic reputation if terms of the  
13 contract conflict with the student athlete's team rules or with terms of a contract entered into be-  
14 tween the student athlete's post-secondary institution of education and a third party, except neither  
15 the team rules nor a contract entered into between the post-secondary institution of education and  
16 a third party may prevent a student athlete from earning compensation for use of the student  
17 athlete's name, image, likeness or athletic reputation when not engaged in official team activities,  
18 including participating in or being part of an advertisement that was created while not engaged in  
19 official team activities but that may otherwise be broadcasted, displayed or disseminated at any  
20 time.

21 (b) A student athlete who enters into a contract that provides compensation to the student  
22 athlete for use of the student athlete's name, image, likeness or athletic reputation shall disclose the  
23 contract to an official of the post-secondary institution of education designated by the institution if  
24 the student athlete is a team member or, if the student athlete is not a team member, at the time  
25 the student athlete seeks to become a team member.

26 (c) If the post-secondary institution of education asserts that the terms of the contract conflict  
27 with the team rules or with terms of a contract entered into between the student athlete's post-  
28 secondary institution of education and a third party, the institution shall disclose the specific rules  
29 or terms asserted to be in conflict to the student athlete or to the student athlete's professional  
30 representative or athlete agent if the student athlete is represented.

31 (4)(a) A post-secondary institution of education [*or an athletic association, conference or organ-*  
32 *ization with authority over intercollegiate sports*] may [*not*] provide to a prospective or current stu-  
33 dent athlete compensation for use of the student athlete's name, image, likeness or athletic  
34 reputation.

35 **(b) For any written contract that provides compensation under this subsection to a stu-**  
36 **dent athlete who is a minor, the contract must include written consent of the parent or**  
37 **guardian of the student athlete.**

38 **(c) An athletic association, conference or organization with authority over intercollegiate**  
39 **sports may not provide to a prospective or current student athlete compensation for use of**  
40 **the student athlete's name, image, likeness or athletic reputation.**

41 (5) A student athlete may not contract with or retain a person as the student athlete's athlete  
42 agent, if the person represented or was employed by a post-secondary institution of education at any  
43 time in the preceding four years.

44 (6) Nothing in this section prohibits a post-secondary institution of education from establishing  
45 or enforcing a conduct code that is applicable to all students enrolled at the institution.

1 (7)(a) A student athlete's compensation for use of the student's name, image, likeness or athletic  
2 reputation may not be conditioned on the athletic performance of the student athlete.

3 (b) A person or entity that provides compensation to a student athlete for the use of the student  
4 athlete's name, image, likeness or athletic reputation may condition payment of the compensation  
5 on a student athlete's attendance at a particular post-secondary institution of education.

6 (8) An athletic association, conference or organization with authority over intercollegiate sports  
7 may not prohibit a post-secondary institution of education from identifying, facilitating, enabling or  
8 supporting opportunities for a current student athlete to exercise the student athlete's student's  
9 rights at the student athlete's post-secondary institution of education, **or from providing compen-**  
10 **sation to the student athlete in accordance with this section.**

11 (9) A post-secondary institution of education, or an employee of a post-secondary institution of  
12 education, may not be held liable for any damages to a student athlete's ability to exercise the  
13 student athlete's student's rights due to any decision or action made by the post-secondary institu-  
14 tion of education or employee:

15 (a) That is routinely taken in the course of intercollegiate sports; or

16 (b) That is part of identifying, facilitating, enabling or supporting opportunities for the current  
17 student athlete to exercise the student athlete's student's rights at the student athlete's post-  
18 secondary institution of education.

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